

EDMONDS CITY COUNCIL APPROVED MINUTES

MARCH 8, 2005

Following City Council Committee meetings at 6:00 p.m., the Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor
Richard Marin, Council President
Michael Plunkett, Councilmember
Jeff Wilson, Councilmember
Mauri Moore, Councilmember
Peggy Pritchard Olson, Councilmember
Dave Orvis, Councilmember
Deanna Dawson, Councilmember

ALSO PRESENT

Bryan Huntzberger, Student Representative

STAFF PRESENT

David Stern, Chief of Police
Duane Bowman, Development Services Director
Jennifer Gerend, Economic Development Dir.
Stephen Clifton, Community Services Director
Brian McIntosh, Parks & Recreation Director
Dave Gebert, City Engineer
Rob Chave, Planning Manager
Scott Snyder, City Attorney
Sandy Chase, City Clerk
Meghan Cruz, Video Recorder

1. APPROVAL OF AGENDA

Council President Marin requested the addition of a five minute Executive Session regarding an Agreement for Investigation of Real Estate to the end of the agenda with possible action following.

Change to the
Agenda

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

(A) **ROLL CALL**

(B) **APPROVAL OF CITY COUNCIL MEETING MINUTES OF MARCH 1, 2005.**

(C) **APPROVAL OF CLAIM CHECKS #77696 THROUGH #77871 FOR THE WEEK OF FEBRUARY 28, 2005, IN THE AMOUNT OF \$348,599.60. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #40287 THROUGH #40363 FOR THE PERIOD FEBRUARY 16 THROUGH FEBRUARY 28, 2005, IN THE AMOUNT OF \$825,542.66.**

(D) **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR LEGAL SERVICES BETWEEN THE CITY OF EDMONDS AND SALTER JOYCE ZIKER, PLLC.**

(E) **AUTHORIZATION TO APPROVE BID FOR MARINA BEACH RESTORATION.**

Approve
3/1/05
Minutes

Approve
Claim Checks

Legal
Services
Agreement

Marina Beach
Restoration

Mayor Haakenson advised of the recent passing of City employee, Melinda Duell, remarking over the past year she had been an inspiration to all as she waged a losing battle against cancer. He explained although her name may not be recognizable to all, her work would be; she was responsible for the hanging baskets and corner gardens throughout Edmonds. He recalled seeing her on her hands and knees tending the flowers and even as she was fighting the chemotherapy treatments just a few short weeks ago, she was tending the flowerbeds and had already planted the seeds for the flower baskets, her pride and joy. He recalled when sitting with her at her hospital bed a few weeks ago, she began to cry and told him that she just wanted to come back to work, that she missed her job and her co-workers. He offered the City's prayers, thoughts and hearts to her husband Rich and their family. Mayor Haakenson summarized Melinda made Edmonds a better place for everyone and she will be missed. He invited the audience to join him and staff in a moment of silence to remember Melinda.

3. **CONTINUED COUNCIL DELIBERATION ON THE PUBLIC HEARING HELD ON FEBRUARY 15, 2005, REGARDING AMENDMENTS TO THE EDMONDS COMPREHENSIVE PLAN CONCERNING THE DOWNTOWN WATERFRONT ACTIVITY CENTER (INCLUDING AMENDMENTS TO THE DOWNTOWN WATERFRONT PLAN)**

AMENDMENT NO. 1 TO THE MAIN MOTION

COUNCILMEMBER MOORE MOVED, SECONDED BY COUNCIL PRESIDENT MARIN, TO REPLACE THE PREVIOUS AMENDMENT REGARDING PLANNED RESIDENTIAL-OFFICE WITH THE PROPOSED LANGUAGE ON PAGE 37, *"BECAUSE THE AREA OF THIS DESIGNATION IS LOCATED ADJACENT TO COMMERCIAL DEVELOPMENT TO THE SOUTH, THE RAILROAD TO THE WEST, AND IS NEAR BOTH MULTIPLE FAMILY AND SINGLE FAMILY RESIDENTIAL DEVELOPMENT, THIS AREA SHOULD ACT AS A TRANSITION BETWEEN THESE USES. BUILDING DESIGN FOR THIS AREA SHOULD BE SENSITIVE TO THE SURROUNDING COMMERCIAL MULTIPLE FAMILY AND SINGLE FAMILY CHARACTER. DUE TO THE STEEPLY SLOPING NATURE OF THE PROPERTIES, BUILDING HEIGHTS SHALL GENERALLY BE LIMITED TO TWO STORIES ABOVE SUNSET AVENUE"*.

Council President Marin clarified this paragraph would replace the paragraph added by motion at the March 1 Council meeting. Councilmember Moore agreed that was her intent.

VOTE ON AMENDMENT NO. 1 TO THE MAIN MOTION
MOTION CARRIED UNANIMOUSLY.

Councilmember Wilson proposed replacing "are limited to 30 feet" with "shall be pedestrian in scale and compatible with the historic character of this area" in the Fountain Square section on page 37. He noted the Comprehensive Plan amendment would be followed by adoption of specific design regulations and Design Guidelines to implement this language. He acknowledged at some point the Council would need to establish specific numbers; however, the Comprehensive Plan as a policy document established the framework and was not intended to include specifics such as numbers.

COUNCILMEMBER WILSON MOVED, SECONDED BY COUNCIL PRESIDENT MARIN, TO MAKE CHANGES AS HIGHLIGHTED IN GREEN ON PAGE 35 TO "FOUNTAIN SQUARE" REPLACING THE LANGUAGE ON PAGE 35 THAT LIMITED BUILDING HEIGHTS TO 30 FEET WITH *"SHALL BE PEDESTRIAN IN SCALE AND COMPATIBLE WITH THE HISTORIC CHARACTER OF THIS AREA."*

Councilmember Orvis indicated he would not support the motion, explaining he would prefer "30 feet" be replaced with "25 feet plus 5 feet for roof." He did not support replacing the protection provided for height in this district with language that only required buildings to be pedestrian in scale which he interpreted to mean height could be traded for setback.

Councilmember Plunkett also indicated he would oppose the amendment, explaining specific heights could and should be included in the Comprehensive Plan.

Councilmember Dawson commented it was up to the Council and community to decide whether including specific height restrictions was important enough to include in the Comprehensive Plan. She noted in some cities it may not be appropriate; in Edmonds, it clearly was. She preferred to have specific heights included and if not, preferred there be some greater detail with regard to the intent of the language. She noted it was particularly important in the Fountain Square area to define the intent of pedestrian scale and compatible with the historic character of the area.

Councilmember Wilson reiterated the Comprehensive Plan was a policy document. If it was not, the Plan would include specifics such as the number of required parking spaces. He commented there was no policy basis for selecting a number, finding that building design, compatibility and scale were design features that were developed via a design process. He preferred establishing a vision first, followed by development of specific regulations to implement the vision which would also be a public process via the Planning Board and the City Council for final adoption. He did not support establishing a number without knowing how it related to a final design of a building and the appropriate scale. The Comprehensive Plan would provide the tools for creation of development regulations following the adoption of the Comprehensive Plan.

Councilmember Moore agreed with Councilmember Wilson, pointing out the overall intent of design as developed by the Planning Board was reflected in the Comprehensive Plan beginning on page 38 (Site Design). These were good guidelines that would help guide the process of developing Design Guidelines.

At the suggestion of Mayor Haakenson to include the amendments to all districts in the motion, Councilmember Wilson added the following to the motion:

ARTS CENTER CORRIDOR – DELETE THE LANGUAGE ON PAGE 36 WITH SPECIFIC REFERENCE TO 30 FEET IN HEIGHT AND REQUIRING ONE FOOT OF SETBACK FOR EVERY ONE FOOT OF HEIGHT AND ESTABLISHING A MAXIMUM OF 33 FEET AND ADD THE SENTENCE, “BUILDING DESIGN AND HEIGHT SHALL BE COMPATIBLE WITH THE GOAL OF CREATING A PEDESTRIAN ORIENTED ARTS CORRIDOR WHILE PROVIDING INCENTIVES FOR THE ADAPTIVE REUSE OF EXISTING HISTORIC STRUCTURES.”

DOWNTOWN MIXED COMMERCIAL – DELETE THE LANGUAGE ON PAGE 36 REGARDING 30 FOOT HEIGHT AND 33-FOOT HEIGHT MAXIMUM AND ADD LANGUAGE, “BUILDING HEIGHTS SHALL BE COMPATIBLE WITH THE GOAL OF ACHIEVING PEDESTRIAN SCALE DEVELOPMENT.”

DOWNTOWN MIXED RESIDENTIAL – DELETE LANGUAGE ON PAGE 36 REQUIRING ONE FOOT OF SETBACK FOR EACH ONE FOOT OF HEIGHT AND A MAXIMUM HEIGHT OF 33 FEET AND ADD LANGUAGE, “HEIGHT AND DESIGN OF BUILDINGS SHALL CONFORM TO THE STANDARDS OF THE DOWNTOWN MIXED COMMERCIAL DISTRICT.”

SHORELINE COMMERCIAL – DELETE THE LANGUAGE ON PAGE 37 REGARDING SETBACKS AND THE MAXIMUM BUILDING HEIGHT AND ADD LANGUAGE, “BUILDING HEIGHTS SHALL BE COMPATIBLE WITH THE GOAL OF ACHIEVING PEDESTRIAN SCALE DEVELOPMENT WHILE PROVIDING INCENTIVES TO ENCOURAGE PUBLIC VIEW CORRIDORS.”

DOWNTOWN CONVENIENCE COMMERCIAL – DELETE THE LANGUAGE ON PAGE 37 REGARDING ONE FOOT OF SETBACK FOR EACH ADDITIONAL FOOT OF BUILDING HEIGHT AND THE MAXIMUM 33-FOOT BUILDING HEIGHT AND ADD LANGUAGE, “HEIGHT AND DESIGN OF BUILDINGS SHALL CONFORM TO THE STANDARDS OF THE DOWNTOWN MIXED COMMERCIAL DISTRICT.”

HEIGHT – DELETE LANGUAGE REGARDING PROVIDING 1:2 RATIO OF BUILDING HEIGHT TO PUBLIC SPACE; FOR EXAMPLE WHEN THE EXISTING RIGHT-OF-WAY IS LIMITED TO 60 FEET IN WIDTH, BUILDINGS THAT GO ABOVE 30 FEET IN HEIGHT

SHOULD PROVIDE ADDITIONAL SETBACKS TO MAINTAIN A CONSISTENT HUMAN SCALE ALONG THE PUBLIC STREETSCAPE. IN THE AREA AROUND THE FOUNTAIN AT 5TH AND MAIN, BUILDING SETBACKS OR STEP-BACKS OF FLOORS ABOVE THE COMMERCIAL STREET LEVEL SHOULD BE PROVIDED TO ASSURE THAT THE SCALE OF BUILDINGS RELATES TO THE PUBLIC OPEN SPACE AT THIS LOCATION. REVISE PARAGRAPH B UNDER HEIGHTS TO READ, "CREATE AND PRESERVE A HUMAN SCALE FOR DOWNTOWN BUILDINGS. UNLESS MORE SPECIFIC PROVISIONS ARE CONTAINED IN THE DESCRIPTIONS FOR THE SPECIFIC DOWNTOWN DISTRICTS, BUILDINGS SHALL BE GENERALLY TWO STORIES IN EXTERIOR APPEARANCE, DESIGN AND CHARACTER. HOWEVER, HEIGHT INCENTIVES MAY BE ADOPTED WHICH ARE CONSISTENT WITH THE PEDESTRIAN SCALE OF DOWNTOWN EDMONDS AND WHICH PROVIDE ADDITIONAL HEIGHT - NOT TO EXCEED THREE STORIES IN APPEARANCE - IN EXCHANGE FOR A CLEAR PUBLIC BENEFIT SUCH AS DEDICATED PUBLIC SPACES, AMENITIES OR DESIGN FEATURES WHICH ENHANCE THE PUBLIC STREETSCAPE OR PRESERVE, CREATE OR ENHANCE VIEWS FROM PUBLIC PROPERTY. NOTE THAT THE DOWNTOWN MASTER PLAN DISTRICT DESCRIBED ON PAGES 36-37 COULD ALLOW A DESIGN WHICH PROVIDES FOR HIGHER BUILDINGS OUTSIDE CURRENT VIEW CORRIDORS."

Councilmember Plunkett commented this height amendment was the controlling amendment to all districts. He pointed out that because "story" had not been defined, the height of a story could be anything, potentially resulting in a height increase above 33 feet. He acknowledged that supposedly a vision and Design Guidelines would follow to determine the maximum building height based on design, contending that at some point the Council would need to determine the maximum height. He was unable to support the motion, believing it to actually be a height increase. He explained the amendment replaced the numbers with words, words that meant more than the numbers.

Councilmember Orvis commented the words that troubled him were "story" and "appearance." He displayed a photograph of the Marion Building in Everett that had a nice exterior and looked like a 2-story building but was actually a 4-story building. He estimated the building height at approximately 40 feet although it appeared to be two stories. He found this amendment was moving in the wrong direction and he planned to vote against the motion for those reasons.

Councilmember Dawson agreed with Councilmembers Plunkett and Orvis, recalling many citizens were troubled by an increase to 33 feet; the proposed language could result in even taller buildings. She expressed concern that if the proposed language were adopted, a future ordinance would not be limited to 33 feet. She preferred the language she proposed last week, 25 + 5 feet, returning to the height restriction that has been in place for some time. She explained the Planning Board considered pedestrian scale and developed a number they felt was appropriate. Although she felt the height the Planning Board proposed was too high, the proposed amendment language deleted the number and appeared to indicate that number was not high enough. She concluded the intent of the motion appeared to be for Design Guidelines to consider building heights above 33 feet. Although she supported eliminating the language regarding 33 feet, she was unable to support language that would potentially allow even higher building heights.

Councilmember Moore remarked the fears being expressed were unfounded, pointing out there was nothing in the Comprehensive Plan that addressed higher buildings and she did not believe that was Councilmember Wilson's intent. She disagreed the proposed language opened the door to higher buildings. She concluded the Comprehensive Plan was a policy document and the specificity would be included in Design Guidelines that would follow adoption of the Comprehensive Plan.

Mayor Haakenson asked what the height limit would be if the Council approved this amendment tonight and a builder proposed a building tomorrow. City Attorney Scott Snyder responded height limits would remain as they currently exist; the amendment would not result in any change. Further, there was a moratorium in place and a developer could not vest any rights.

Council President Marin spoke in favor of the motion, pointing out the previous amendments that speak to historic preservation and the inclusion of design queues from the past. He commented this amendment would provide some latitude and would assist in providing a bridge between the past and future in a manner that would benefit the entire city. He referred to Port Townsend and Aberdeen where there are some major buildings downtown, buildings with architectural style that the City could be proud of. He explained this amendment was a good companion to the historic preservation amendments and would allow latitude to reconstruct historic buildings.

Mayor Haakenson asked for clarification – if this amendment did not change the height limit, what would be necessary for the Council to change the height limit and if the Council did nothing after approving the Comprehensive Plan, what was the height limit? Mr. Snyder responded the height limit under the current development regulations remained unchanged. He noted the legal “soft spot” was the City’s Comprehensive Plan will imply and promise a development incentive program for developers that will not exist in the development regulations; therefore, it would be incumbent on the Council to draft development regulations as soon as possible, at least by the self-certification date of May 9.

Mayor Haakenson emphasized this amendment did not change height limits. Mr. Snyder agreed, explaining the development regulation height limits remained. There was a moratorium on applications so no one can vest rights. However, development regulations implementing the Comprehensive Plan will need to be developed promptly.

Councilmember Dawson reiterated the language implied higher heights would be adopted. She suggested if the four members of the Council who favored the amendments did not intent to raise heights any further, they should state that or risk leaving the public with the impression that they do. She suggested the Council either state or take a vote on the maximum height restriction now so the intent was clear.

Councilmember Olson spoke in favor of the amendment, recalling public testimony that preferred Design Guidelines be developed first followed by establishing the height. That was the intent of including this policy statement in the Comprehensive Plan, followed by development of the Design Guidelines where a decision regarding building heights would be made.

Councilmember Plunkett commented providing latitude was the reason he did not support this language. If the intent was not to go above 30 or 33 feet, he preferred Councilmembers make that statement now. Absent that statement, he found it reasonable to assume that the amendment was a height increase and was intended to lead the Council in that direction.

Council President Marin clarified it was not his intent to go above 33 feet. Having been involved as a builder for much of his life, he looked at a building’s construction, plumbing, wiring, etc. He noted many of the older buildings in the City were in poor condition and the opportunities for renovation were limited due to the type of construction, wiring, etc.

Councilmember Plunkett commented the Historic Preservation Commission passed ordinances that allow owners of historic structures to renovate structures under those historic preservation codes. He noted an owner of an historic structure could refurbish the building and even rebuild it should it be destroyed.

Council President Marin commented in his experience it was often more expensive to remodel a building than to demolish the building and rebuild. He agreed it was good to have incentives in place to allow an owner to rebuild an historic structure, but it must be recognized that this was done at a premium and the owners must be willing to make that commitment.

VOTE ON AMENDMENT NO. 2 TO THE MAIN MOTION

UPON ROLL CALL, MOTION CARRIED (4-3), COUNCIL PRESIDENT MARIN, COUNCILMEMBERS MOORE, OLSON AND WILSON IN FAVOR, AND COUNCILMEMBERS PLUNKETT, DAWSON AND ORVIS OPPOSED.

At Council President Marin's request, Mr. Snyder explained the difficulty with the action just taken was it created a promise of an incentive program for developers. Staff would need to draft development regulations by the first week in May in order to self-certify by the May 9 deadline in order to qualify for Public Works Trust Fund loans. However, this would be difficult to accomplish in six weeks given the public process that requires a Planning Board public hearing, a Planning Board recommendation, a Council public hearing and a Council recommendation. This process would require a great deal of thought, design guidelines, and details and was not the type of thing that could be accomplished via an interim ordinance and not without a public process. He suggested building into the Comprehensive Plan an acknowledgement that the Council would be developing Design Guidelines over the next year. He referred to a proposed amendment developed by staff and noted the key sentence in the amendment was "therefore the program of height incentives referenced above will be developed during 2005 for final implementation in conjunction with the City's 2005 Comprehensive Plan updates." He explained this would allow the Council time to craft a process that had reasonable public involvement and develop regulations that were detailed enough to meet the Anderson v. Issaquah requirement to provide detailed directions so that developers do not have to guess. For those who were skeptical, he advised the moratorium could be continued and until the Council approved something otherwise, the current height limits would remain in effect.

AMENDMENT NO. 3 TO THE MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO APPROVE THE FOLLOWING AMENDMENT: THE DOWNTOWN AREA OF EDMONDS IS THE CITY'S SIGNATURE COMMERCIAL AND PUBLIC CORE AND HELPS DEFINE THE CHARACTER OF OUR COMMUNITY. CHANGE IS NECESSARY TO BALANCE MIXED USE DEVELOPMENT AND ACHIEVE HIGH QUALITY RETAIL AND COMMERCIAL SPACES WHILE NOT LOSING THE CITY'S CHARACTER. THEREFORE, THE PROGRAM OF HEIGHT INCENTIVES REFERENCED ABOVE WILL BE DEVELOPED DURING 2005 FOR FINAL IMPLEMENTATION IN CONJUNCTION WITH THE CITY'S 2005 COMPREHENSIVE PLAN UPDATES. THE DEVELOPMENT PROCESS WILL INCLUDE PLANNING SESSIONS IN WHICH THE PUBLIC, BUSINESS PERSONS, DESIGN PROFESSIONALS AND DEVELOPERS ALL PARTICIPATE.

Councilmember Wilson asked if the amendment were adopted and the City moved forward with drafting Design Guidelines and development regulations to implement the Comprehensive Plan, would they be limited to how it would affect a two story building. Mr. Snyder stated the Comprehensive Plan and development regulations must be consistent. This amendment would acknowledge that the development regulations warrant a public process and would take longer than six weeks to develop.

Councilmember Wilson stated adopting this amendment would allow the City to proceed with development regulations related to 1-2 story buildings, pedestrian scale, etc. Mr. Snyder explained the language provides a laundry list of types of incentives; the Council may determine during the process that there are incentives they do not want to include. This could be accomplished via amendment of the Comprehensive Plan during the 2005 process at the same time development regulations are adopted to implement the other incentives.

Mayor Haakenson inquired whether the Council's intent via the creation of design regulations was to return the issue of a specific height to the Planning Board. Councilmember Wilson answered yes, acknowledging specific heights have to be included in the development regulations. Mayor Haakenson urged the Council to select the specific height number themselves rather than return it to the Planning Board who has taken public comment and provided a recommendation with regard to height. He explained the Planning Board did not care what number the Council chose but they did not want the issue back again as the public comment would be the same. He cautioned the Council against sending an issue back to the Planning Board that they had already ruled on.

Councilmember Moore agreed with Mayor Haakenson. She recalled earlier this year, there was concern with losing the 2005 building season and inquired how this would impact the 2006 building season. Development Services Director Duane Bowman answered if a developer was contemplating a building larger than two stories, this would result in a delay but it would not impact the schedule for a developer contemplating a two story building. Mr. Snyder asked how many buildings in downtown were typically developed each year. Mr. Bowman answered approximately one per year.

Mr. Snyder requested this amendment be included as a footnote to "height" on page 40.

Council President Marin suggested exploring the addition of another step, developing a committee composed of two Councilmembers, two members of the Architectural Design Board (ADB), two members of the Planning Board, two citizens and two staff members to meet over a 6-8 week period to do some preliminary work on code revisions, return it to the Council for review and then refer it to the Planning Board. He noted although this would add approximately two months to the process, it would provide the opportunity for additional public process in the crafting of the code language. He suggested the citizen members be Darrell Marmion and Bob Gregg and recalled Councilmember Wilson had expressed interest in participating. He suggested exploring the idea with the Chair of the Planning Board and ADB over the coming week and identify another Councilmember to participate.

Councilmember Dawson expressed concern with the amendment, particularly height incentives, but favored involving the public in the process. She pointed out maintaining the building moratorium would ensure taller buildings were not allowed in the interim. Due to the need to move the process forward and her hesitancy at losing out on the Public Works Trust Fund loan, she reluctantly agreed to support the amendment.

VOTE ON AMENDMENT NO. 3 TO THE MAIN MOTION
MOTION CARRIED (6-1), COUNCILMEMBER PLUNKETT OPPOSED.

AMENDMENT NO. 4 TO THE MAIN MOTION
COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON, TO EXPLORE THE MAKEUP OF A COMMITTEE CONSISTING OF TWO COUNCILMEMBERS, TWO MEMBERS OF THE ADB, TWO MEMBERS OF THE PLANNING BOARD, TWO CITIZENS AND TWO MEMBERS OF STAFF TO FORMULATE AND BRING BACK RECOMMENDATIONS ON CODE REVISIONS THAT WOULD THEN COME TO THE COUNCIL AND BE DIRECTED TO THE PLANNING BOARD.

Councilmember Wilson proposed a friendly amendment not to have two staff members on the committee but rather use staff as a resource and appropriate staff be provided as necessary. Council President Marin agreed.

Councilmember Dawson noted a motion may not be necessary as it appeared the intent was to discuss the makeup of the committee and their work plan over the next week. Rather than forming the committee tonight, she suggested Council President Marin withdraw his motion and return next week with further details regarding the formation of a committee. Council President Marin agreed to return next week with a plan.

COUNCIL PRESIDENT MARIN WITHDREW HIS MOTION WITH THE AGREEMENT OF COUNCILMEMBER WILSON.

Councilmember Dawson recalled a suggestion for next year's Comprehensive Plan process to consider including additional elements such as Public Safety. Mr. Snyder explained the deadline for docketing Comprehensive Plan amendments was December 31, 2004, although the Council could extend that deadline if good cause could be shown. Since the Council identified several issues to be incorporated into

the 2005 Comprehensive Plan amendment docket, he intended to draft a resolution waiving the deadline for the issues the Council had already recommended be forwarded to the 2005 process and any others identified tonight.

AMENDMENT NO. 4 TO THE MAIN MOTION

COUNCILMEMBER DAWSON MOVED, SECONDED BY COUNCILMEMBER WILSON, TO INCLUDE IN THE RESOLUTION TO BE PREPARED BY THE CITY ATTORNEY THE COUNCIL'S INTENT TO CONSIDER PUBLIC SAFETY AND ECONOMIC DEVELOPMENT AS ELEMENTS IN THE COMPREHENSIVE PLAN.

VOTE ON AMENDMENT NO. 4 TO THE MAIN MOTION
MOTION CARRIED UNANIMOUSLY.

RESTATED MAIN MOTION

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO APPROVE THE COMPREHENSIVE PLAN WITH THE AMENDMENTS; AN ORDINANCE TO BE BROUGHT BACK TO THE COUNCIL ON MARCH 15, 2005.

Councilmember Plunkett reiterated his intent to vote against the motion, commenting there had been enough vision and community input. He preferred the Council state, as a motion, their intent regarding specific height numbers.

VOTE ON THE MAIN MOTION

UPON ROLL CALL, MOTION CARRIED (4-3) COUNCIL PRESIDENT MARIN, COUNCILMEMBERS WILSON, OLSON AND MOORE IN FAVOR AND COUNCILMEMBERS ORVIS, DAWSON, AND PLUNKETT OPPOSED.

4. MAYOR'S COMMENTS

Mayor Haakenson had no report.

5. COUNCIL COMMENTS

March 29
Community
Outreach
Meeting

Council President Marin reminded the public of the community outreach meeting on the fifth Tuesday, March 29 at the Meadowdale Clubhouse at 7:00 p.m. He extended the Council's invitation for citizens to attend and talk to the Council about whatever topic they wished.

Comprehensive
Plan
Amendment

Councilmember Wilson responded to issues raised with regard to his amendment. The issue for him with regard to the Comprehensive Plan and the Downtown-Waterfront Plan was vision. The downtown design objectives are intended to encourage high quality, well designed projects in the downtown-waterfront area that reflect the values of the citizens of Edmonds. He noted under building setback was the statement, "provides a human, pedestrian friendly scale for downtown buildings." He commented those statements established a vision, picking a number did not. He referred to language regarding encouraging new construction to use design elements that tie historic forms or patterns found in the downtown, noting there were buildings downtown that exceeded the numbers selected in the past but these buildings may be on the Historic Register in the future, an action that Councilmember Plunkett supported as a way to preserve the past. He questioned how new buildings could be tied to historic forms if consideration was not given to the design of buildings and how buildings interact.

Councilmember Wilson acknowledged it had never been an issue for him about picking a number; finding 33 feet had nothing to do with building design. He favored creating design guidelines that provided latitude to create interesting building elements such as a turret or clock tower which he acknowledged may exceed 25, 30 or even 33 feet but would add to the character of downtown and enhance the area. He

summarized planning was a process of looking long term, not just 1-2 years in the future, but 20 years in the future.

Councilmember Wilson remarked throughout the Design Guidelines were statements regarding human scale and quality of buildings downtown, yet that was never discussed as part of the Council's vision. He expressed dismay that the Council spent so much time discussing whether Councilmembers were for or against 33 feet rather than discussing the quality and design of buildings downtown. It was the quality of a building's exterior design that was important as that was what people remembered, not the height.

Councilmember Dawson explained the Council agreed they wanted to have quality and character in the design of buildings, but there was disagreement with how tall the buildings should be. She noted no one who favored height restrictions wanted shorter, ugly buildings; they wanted to have attractive, quality buildings that were not as tall. She found it unfair to say that those who favored lower height restrictions were not in favor of quality buildings, emphasizing they were in favor of historic preservation and quality buildings, but they wanted the buildings not to be three stories and not to be one unusable story with two large stories of condominiums above. She reiterated at some point a number would need to be selected and she preferred Councilmembers be clear with regard to the height limit they supported.

Councilmember Plunkett agreed with Councilmember Wilson that the vision for Edmonds was what this was all about. He emphasized the people of Edmonds believe the vision of Edmonds is existing heights and that was why he supported existing heights as well as Design Guidelines to support that vision.

Opening of
New Business,
Nama's

Councilmember Olson announced the opening of a new candy store on 5th Avenue and Bell Street, Nama's, and encouraged the public to visit the store.

Councilmember Moore agreed heights were just numbers and were not vision. She thanked Councilmember Wilson for his comments and for bringing his professional expertise to the Council's discussion.

6. EXECUTIVE SESSION

Executive
Session

At 8:15 p.m., Mayor Haakenson recessed the Council to a five minute Executive Session regarding an Agreement for Investigation of Real Estate with possible action following. The meeting was reconvened at 8:22 p.m.

Agreement for
Donation of
Real Property

COUNCIL PRESIDENT MARIN MOVED, SECONDED BY COUNCILMEMBER MOORE, TO APPROVE THE AGREEMENT FOR DONATION OF REAL PROPERTY AND ESCROW INSTRUCTIONS. MOTION CARRIED UNANIMOUSLY.

With no further business, the Council meeting was adjourned at 8:23 p.m.